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ABSTRACT

This 1976 faculty handbook for Hamilton College offers policies and procedures of the institution. Separate sections deal with the following: history of the college; organization of the trustees and administration; organization of the faculty; standing committees of the faculty; departments of the faculty; policies related to faculty activity; faculty salary procedures and benefits; and review and appeals procedures. An index is included. (LBH)

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HAMILTON COLLEGE

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Faculty Handbook

1976
Clinton, New York

ED131771

HE 008 387

Hamilton College

FACULTY HANDBOOK

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INTRODUCTION

The following two motions are included in the Faculty Handbook as a record of its status and the manner in which its provisions may be amended.

"*Moved*, that the Faculty recommends to the President the adoption of Sections III, IV, V, VI, and VIII (Appendix) of the Revised Draft of the Faculty Handbook dated February 1, 1976 (as amended) with the understanding that (a) all provisions of the Handbook will be implemented on July 1, 1976, except that an option shall be extended to continuing members of the Faculty to follow either the new reappointment and tenure procedures or those currently pertaining, (b) changes in Sections I, II, and VII may be made at the will of the President, and (c) changes in Sections III, IV, V, VI, and VIII (Appendix) may be effected only by mutual consent of the Faculty and the President, except for those portions for which the President or the Trustees have sole authority." (Voted, May 20, 1976)

"*Moved*, that the Academic Council, in consultation with the Faculty, other standing committees, and the President, review the provisions of the Faculty Handbook during the 1979-80 academic year, and bring to the Faculty not later than March 1, 1980 any recommendations for changes in its provisions." (Voted, May 20, 1976)

I. HISTORY OF THE COLLEGE

In 1793 Samuel Kirkland, missionary to the Oneida Indians, established the Hamilton-Oneida Academy as a school for Indian youths and the children of white settlers. His missionary work began in 1766 with financial support from the Scotch Presbyterian Society and Harvard College. At the beginning of the Revolutionary War, Kirkland's influence had drawn to the Colonial cause many of the Iroquois, including the Oneidas and the Tuscaroras. The British had counted on full support from the Indians, but Kirkland was instrumental in their decision to remain neutral. Indeed, the first neutrality proclamation in the New World now reposes in the Burke Library.

Kirkland clearly contributed materially to the successful issue of the Battle of Oriskany and the relief of Fort Stanwix. This service, followed by frequent interpositions in behalf of friendly relations between the Indians and the White Settlers, won for Kirkland the confidence and regard of George Washington and Alexander Hamilton. When Kirkland determined to establish his school, Hamilton gave his support to the project and became the first trustee of the Hamilton-Oneida Academy.

The Academy was chartered by the Regents of the University of the State of New York on January 29, 1793. The State and the Indians had granted to Kirkland in 1788 a tract of wild land in what is now the Town of Kirkland, and a portion of this grant was set aside for the new institution. Here, in a small clearing, at a spot just south of the present chapel, the cornerstone of the first building was laid by Baron von Steuben, drillmaster of Washington's Army, on July 1, 1794. On this occasion he also delivered the principal address to a small group of early settlers, Indians, and a few local militiamen in buff and blue uniforms.

By 1810 the Academy had one hundred and seventy students and was ready to become a college of liberal arts. Two years later, on May 26, 1812, the charter of Hamilton College was granted. Today about one thousand students are enrolled.

Hamilton's most ambitious educational venture of this century, the founding of Kirkland College for women, became a reality in the fall of 1968 with the matriculation of a freshman class of one hundred and sixty-five. Today our coordinate institution enrolls over six hundred women.

II. ORGANIZATION OF THE TRUSTEES AND ADMINISTRATION

A. *Trustees*. The Constitutional documents under which the College is governed are the Charter and By-Laws of the Board of Trustees.

The Board consists of twenty-eight members, sixteen of whom, including the President of the College, are elected by the Board for terms of six years, and twelve of whom are elected by the Society of Alumni of Hamilton College for terms of four years. The former are designated Charter Trustees; the latter, Alumni Trustees. Newly elected members normally take office on July 1.
The Board normally meets as a body four times each academic year.

Beside its Executive Committee, which acts for the Board when it is not in session, the Board of Trustees has seven Standing Committees, as follows:

1. *Committee on Instruction*; considers matters relating to the academic program, policies with respect to faculty appointments, and faculty compensation.

2. *Committee on Buildings, Grounds, and Equipment*; considers matters relating to the physical plant, major facilities, and College grounds.

3. *Committee on Nominations*; offers nominations to vacancies for Charter members and for Board officers.

4. *Committee on Budget and Finance*; exercises general supervision over the finances of the College, including investments.

5. *Committee on Development of Resources*; devises methods for increasing the funds and resources available to the College.

6. *Committee on Planning*; considers long range planning as it pertains to the future of the College and its educational purposes.

7. *Committee on Student Affairs*; considers matters of student life, including extracurricular activities and housing.

B. *Administration*. The principal College Officers and their general responsibilities are as follows:

1. *The President*. The President, who holds his office at the will and pleasure of the Board of Trustees, is designated in the By-Laws of the Board as the chief officer of the College. He bears the primary responsibility for the administration of the educational program of the College and has the sole authority to appoint members of the Faculty and members of the administration.

2. *The Dean of the College*. The Dean of the College, who serves at the will and pleasure of the President, is the principal academic officer under the

President. He oversees the educational policies of instruction and the Faculty, and he serves as academic coordinator with Kirkland College. Under his jurisdiction are the Associate Dean of the College, Librarian, the College Chaplain, the Dean of Students, and the Registrar.

3. *The Provost.* The Provost, who serves at the will and pleasure of the President, is the principal business officer under the President. He oversees the preparation of the budget and expenditures against it, and he oversees the joint business operations of Hamilton and Kirkland College. Under his jurisdiction are the Controller, the Director of Physical Plant, the Director of the Bristol Center, the Director of Financial Aid, the Director of the Hamilton-Kirkland Computer Center, and the Director of the Career Center. He also supervises the operation of student health services. In the event of the disability of the President, the Provost acts for the President.

4. *The Vice President, Communications and Development.* The Vice President, who serves at the will and pleasure of the President, bears primary responsibility for raising current and capital funds, and he oversees programs in public relations. Under his jurisdiction are the Office of Communications and the Director of Alumni Affairs.

5. *The Associate Dean of the College.* The Associate Dean is responsible for the academic counseling of students and for overseeing the enforcement of academic requirements and regulations.

6. *The Director of Admissions.* The Director and his assistants work with the Faculty Committee on Admissions and Financial Aid in the recruitment and selection of students.

7. *The Dean of Students.* The Dean of Students is responsible for undergraduate life. He oversees freshman orientation, dormitory advisors, student housing, and serves in liaison with agencies of student government.

III. ORGANIZATION OF THE FACULTY OF HAMILTON COLLEGE

Pursuant to the authority of the Trustees, the Faculty formulates educational policies and programs, supervises teaching resources and procedures; advises on matters of appointment and promotion of faculty members and on other matters relating to faculty personnel; administers the curriculum, certifies that students have fulfilled the requirements of the curriculum; exercises general supervision over various aspects of student life; organizes its own activities and internal affairs; and takes such other actions as may be appropriate to further the educational objectives of Hamilton College.

A. *Dean of the College.* The Dean of the College oversees the educational policies and programs of instruction of the Faculty and all matters relating to the effectiveness and development of the Faculty; oversees curricular development; and serves as academic coordinator with Kirkland College. He reports directly to the President and is assisted by an Associate Dean who is appointed by the President from among the full-time tenured faculty for a non-renewable term normally of three years. Neither the Dean nor the Associate Dean can be elected to committees of the Faculty, but each serves *ex officio* on certain committees, as noted hereafter and in Section IV.

The Dean is a voting member *ex officio* of the Academic Council, the Committee on Academic Policy, the Coordinate Committee on the Library, the Committee on Academic Coordination, and the Provost's Advisory Committee. He may, however, request information from any College committee at any time, has the privilege of addressing any committee, and may request that a committee take up a particular question or problem. He reports annually to the Faculty on matters relating to faculty and curricular development and coordination with Kirkland College. The Associate Dean serves as chairman *ex officio* of the Committee on Academic Standing.

The Dean shall be appointed by the President for a term of five years. At the end of the fourth year his performance shall be evaluated by a single evaluation committee comprised of the Committee on Appointments and the elected members of the Committee on Academic Policy. Procedures for evaluation will be established by the evaluation committee in consultation with the President. The evaluation committee shall elect a chairman and report its recommendation to the President. The Dean serves at the pleasure of the President and may be reappointed.

B. *The Faculty.* The Faculty shall consist of the President; the Dean of the College; the Associate Dean of the College; and all members of the departments and instructional programs of the College who hold regular or visiting appointments not less than half-time as Professor, Associate Professor, Assistant Professor, or Instructor, as defined by letter of appointment. With consent of the Faculty, the President may designate faculty membership to any administrative officer of the College.

C. *Attendance and Voting.* All members of the Faculty have the right to vote, and each is expected to attend all meetings of the Faculty. At its discretion, the Faculty may extend to any member of the College community an invitation to attend meetings of the Faculty, with or without term, and with or without the right to vote.

D. *Faculty Meetings.* Meetings of the Faculty shall be called by the Academic Council and must be called by the Council on request of the President or upon petition to the Council by ten members of the Faculty. When a meeting is called by petition, the petition must state explicitly the issue to be brought before the Faculty. One more than half the number of voting members of the Faculty shall constitute a quorum.

The President shall be the presiding officer at meetings of the Faculty. In his absence, or at his request, the Dean of the College shall preside.

The call for any meeting of the Faculty shall include a statement of the agenda prepared by the Academic Council and distributed to the Faculty at least ten days before the meeting. Whenever possible, all proposals, resolutions, and supporting materials shall be distributed to the Faculty with the agenda, and they must be distributed at least five days before the meeting. Normally, the Dean of the College shall introduce business included on the agenda. In his absence, or when he presides, a member of the Academic Council shall perform this function. Normally, it shall be that current member in his third year of service on the Council.

Final action on all business shall be taken by a majority vote of those members present and voting. Final action on any business not included in the agenda, or upon any business ruled by the presiding officer to involve a substantial change of policy, may be taken at the meeting to which it is first submitted only by consent of two-thirds of the members present and voting. Otherwise, final action upon such business shall be postponed to the next meeting of the Faculty.

Faculty meetings shall be conducted according to the latest edition of *Robert's Rules of Order*, and the presiding officer shall be advised on parliamentary procedures by a member of the faculty nominated and elected at the May meeting for a term of three years.

The Faculty shall nominate and elect annually at its May meeting one of its members to serve as Secretary of the Faculty. This election shall precede all committee elections. The Secretary shall serve as a member (*ex officio*) of the Academic Council; shall assist in election procedures as described in Section IV-B, shall form Review Committee according to procedures described elsewhere, and shall perform such other duties as are assigned by the Faculty. In his role as faculty secretary, and as a member of the Academic Council, he oversees the recording and distribution of minutes of Faculty meetings.

With the exceptions noted below, a copy of the agenda of meetings of the Faculty, including prepared motions to be brought to the Faculty, shall be given by the Dean of the College after adjournment to a representative of the College newspaper, *The Spectator*, along with a notation of the action taken by the Faculty. Where amendments are voted, they shall be included. The Faculty can, at its discretion, instruct the Dean to hold any matter in confidence.

All action which involves individuals shall remain confidential. Matters of business which do not appear on the agenda shall remain confidential unless the Faculty instructs the Dean to make them public.

IV. STANDING COMMITTEES OF THE FACULTY

To be eligible for election to a Standing Committee or an *ad hoc* committee of the Faculty, members of the Faculty must have appointments not less than half-time, must have taught at Hamilton for not less than one full academic year, and must hold the rank of Professor, Associate Professor, or Assistant Professor, except for the Committee on Appointments where eligibility is restricted to tenured members of the Faculty holding the rank of Professor. The President is a member *ex officio* of all faculty committees.

A. *Nominations*. With the exception of the Board of Six, a group to assist in appeals (see Appendix), each Standing Committee through its chairman shall provide the Academic Council by April 15 with the names of two candidates for each of its vacancies. For good reason, a current member whose term is about to expire may be nominated for another term, but in general the principle of rotation shall apply. The Council shall present to the Faculty at its May meeting a slate of each committee's nominees for each committee vacancy. It is the Council's responsibility to assure that members of the Faculty so nominated meet the requirements of eligibility and agree to serve if elected. Other nominations may be received from the floor. Members of the faculty have the right to decline nomination under unusual circumstances, but each is expected to carry his share of committee work. Election is by written ballot and requires a majority vote. Normally a member of the Faculty may not be elected to more than one committee at the May meeting. Election to committees shall be in the order in which the committees are listed hereafter, except for the Board of Six where membership is determined by a two-stage mail ballot.

The Parliamentarian, Secretary, and new members of all Standing Committees elected in May assume their responsibilities on September 1. Vacancies occurring during the year are filled by the same procedures but service or membership becomes effective at the time of election.

B. *Board of Six*. Election to the Board of Six shall be by two-stage preferential ballot. Not later than April 1, each voting member of the Faculty shall receive by mail from the Secretary of the Faculty a nomination ballot containing a list of all those eligible for nomination. Faculty members who are known to be resigning or retiring at the end of the current year, or who are known to be going on leave for fall or spring terms, or both, of the following year shall be ineligible. Each voting member shall mark on the ballot eight nominees in order of preference according to the instructions on the ballot, and shall return the ballot to the Secretary of the Faculty by April 15. The Secretary shall determine those twelve candidates most preferred, and shall place their names on the ballot for the second stage. Not later than May 1 each voting member of the Faculty shall receive by mail from the Secretary of the Faculty the second-stage ballot for the election, and he shall mark on this ballot a preferential choice for all nominees according to the instructions on the ballot, and shall return the ballot to the Secretary by May 15. The Secretary shall determine the six candidates most preferred and these six shall constitute the Board of Six.

The results shall remain confidential with the Secretary and all ballots from the first- and second-stage procedures shall be preserved by the Secretary until the next annual elections of the Board.

C. *Committee on Academic Policy.*

1. Membership. The Committee on Academic Policy shall consist of the Dean of the College (*ex officio*) and six elected members of the Faculty, with two elected each year for a three year term. Annually in May the Committee shall elect a chairman from amongst its new and continuing members.

2. Meetings. Normally the Committee shall meet weekly when College is in session, but special meetings may be called by the chairman or the Dean of The College. Four members shall constitute a quorum.

3. Functions. The Committee shall review educational policies and, when appropriate, recommend to the Faculty reforms in the curriculum; formulate procedures to carry out educational policies voted by the Faculty; with the Dean advise the Faculty regarding the establishment, modification, or abolition of courses and concentration requirements; with the Dean advise the President and the Faculty regarding the establishment, modification, or abolition of programs and departments; with the Dean advise the President on the allocation of Faculty to the departments and programs of instruction; review requirements for the baccalaureate degree; designate annually three members of the Faculty to serve on the Committee on Academic Coordination, at least one of whom shall be a member of the Committee on Academic Policy; distribute to the Faculty in March its recommendation for the next year's curriculum with the request that objections, if any, be addressed to the Committee; report annually in September to the Faculty the significant developments with which it dealt during the preceding year; and assume such other responsibilities as may be voted by the Faculty.

D. *Committee on Appointments.*

1. Membership. The Committee on Appointments shall consist of three members of the faculty elected from among those holding tenure and the rank of Professor, one elected each year for a three year term, with the additional restriction that each member must be from a different department. The senior member of the Committee shall serve as chairman. Two alternate members shall also be elected from among those holding tenure and the rank of professor with the restriction that neither shall be from the same department as the other or as any of the regular members. They shall serve two year terms with one being elected each year. In any decision in which prior involvement or conflict of interests arises the member so implicated will disqualify himself and the senior alternate will take his place.

2. Meetings. The Committee shall meet at the call of its chairman, the Dean of the College, or the President.

3. Functions. The Committee shall interview candidates for new appointments and shall advise the President thereon; gather information and advise the President in matters of reappointment, promotion, and tenure of members of the Faculty; advise the President regarding awards of Faculty Fellowships; consult with the President on any matter which he wishes to bring to the Committee; and consult with the President on any matter which the Committee wishes to have considered.

E. *Academic Council.*

1. Membership. The Academic Council shall consist of the Dean of the College (Chairman), the Secretary of the Faculty, *ex officio*, and three elected members of the Faculty, with one elected each year for a three year term.

2. Meetings. Normally the Council shall meet weekly when College is in session, but special meetings may be called by the Dean of the College. Three members shall constitute a quorum.

3. Functions. The Council shall serve as an executive committee for the Faculty and shall carry out such assignments as are delegated to it by the Faculty and the President. In addition, the Council shall act as an agenda committee for the Faculty and shall bring promptly to the Faculty all business issuing from its standing committees; call meetings of the Faculty, record and distribute minutes of all faculty meetings; prepare slates of nominees for committee vacancies; review student Honor Court actions which involve suspension or dismissal; consider appeals of Honor Court decisions; serve as an Appeals body for the Judiciary Board; oversee the scheduling of intercollegiate athletic contests; and advise the Dean of the College at the Dean's request or upon its own initiative.

F. *Committee on Admission and Financial Aid.*

1. Membership. The Committee on Admission and Financial Aid shall consist of the Director of Admission (Chairman), his assistants, the Dean of the College or his Associate, the Dean of Students (all *ex officio*) and five elected members of the Faculty, with one elected each year for a five-year term. On all financial aid policy matters, the Director of Financial Aid shall sit with the Committee and shall have a vote. The Committee may call upon the Equal Opportunity Officer, the Director of the Higher Educational Opportunity Program, and other officers of the College for advice on matters in which they can provide special information. Six members shall constitute a quorum.

2. Meetings. The Committee shall meet at the call of its chairman.

3. Functions. The Committee shall review policy governing admission and financial aid and recommend any changes in policy to the Faculty and officers of administration; act as an advisory board to the Director of Admission and the Director of Financial Aid concerning the recruitment and admission of

new students and the granting of financial aid; participate in the processes of admission and awarding financial aid through reading and evaluation of admission folders and such other procedures as it may deem suitable; oversee, in coordination with the Vice President, the preparation, distribution and revision of information concerning the faculty, departments, and programs of the College for prospective candidates for admission; and submit an annual report of the preceding year to the Faculty during the month of December.

G. *Committee on Academic Standing.*

1. Membership. The Committee on Adacemic Standing shall consist of the Associate Dean of the College (Chairman), Dean of Students, and four elected members of the Faculty, with one elected each year for a four year term.

2. Meetings. Normally the Committee shall meet twice a month when College is in session, but special meetings may be called by the chairman.

3. Functions. The Committee shall receive and take final action on petitions for summer credit, advanced placement credit, transfer credit, study at other institutions, and independent study; judge and take action on students' liability for academic probation or dismissal; certify to the Board of Trustees, on behalf of the Faculty, those students who have satisfied the requirements for the baccalaureate degree, and act on requests to receive the degree *in absentia*; review and approve the selection of students intending to participate in off-campus programs, including foreign study programs; review and approve instances of academic acceleration; maintain and publish records of all actions taken; and administer such other academic regulations as may be voted by the Faculty.

H. *Coordinate Committee on the Library*

1. Membership. The Coordinate Committee on the Library shall consist of the Librarian, Dean of the College, Provost, two elected members of the Faculty with one elected each year for a two year term, and two undergraduates appointed annually by the Student Senate for a one year term. Kirkland College has a parallel membership insofar as the Dean, the Faculty, and student representation is concerned. The chairman is elected annually from among the members of the Faculty, with the requirement that the chairmanship shall alternate between Hamilton and Kirkland Colleges.

2. Meetings. Normally the Committee shall meet once a month while the Colleges are in session, but special meetings may be called by the chairman at his own initiative or at the request of the Librarian.

3. Functions. The Committee serves to advise the Librarian on matters which he wishes to bring to the Committee; consult with the Librarian on any matter which the Committee wishes to have considered; and advise the Colleges on policies and procedures relating to the Library, and recommend to the Faculties any changes in policy.

I. *Committee on Student Activities.*

1. Membership. The Committee on Student Activities shall consist of the Dean of Students (Chairman, *ex officio*), and four elected members of the Faculty, with one elected each year for a four year term.

2. Meetings. Normally the Committee shall meet once a month while the College is in session, but additional meetings may be called by the chairman.

3. Functions. The Committee shall advise the Dean of Students on matters relating to student life; in consultation with the Dean of Students, formulate policies relating to social life of the undergraduates; and review disciplinary cases heard by the Judiciary Board, and when appropriate, initiate procedures for an appeal of the student Judiciary Board's ruling.

J. *Provost's Advisory Committee.*

1. Membership. The Provost's Advisory Committee shall consist of the Provost (*ex officio*), the Dean of the College (*ex officio*), four elected members of the Faculty, with one elected each year for a four year term, and two students of different classes appointed by the Student Senate, each of whom shall have been appointed as a junior for a term of two years. The Provost shall serve as chairman.

2. Meetings. Normally the Committee shall meet monthly, but special meetings may be called by the Provost, and shall be called by the Provost upon the request of two elected members.

3. Functions. The Committee shall advise the Provost on matters relating to the College budget, on institutional priorities, on matters relating to the physical plant, including faculty housing; participate in determining the existence or imminence of financial exigency; consult with the Provost on any matter he wishes to bring to the Committee; and consult with the Provost on any matter which the Committee wishes to have considered.

K. *Coordinate Committee on Cultural Activities.*

1. Membership. The Coordinate Committee on Cultural Activities shall consist of seven persons: three from the Hamilton Faculty, three from the Kirkland Faculty, and the Director of the Bristol Campus Center, who shall serve *ex officio*, and shall chair the Committee. Faculty members are to be appointed by the Presidents of each institution for renewable terms of two years. Faculty appointments shall be made from those who are responsible for the scheduling of concerts, drama, art exhibitions and college-wide public lectures at the two Colleges

2. Meetings. Normally the Committee shall meet at the beginning of each term, but special meetings may be called by the chairman

3. Functions. The Committee shall establish a set of principles which will serve as guidelines for the coordinate scheduling of cultural activities for the two Colleges. The Committee shall also be responsible for annual implementation of those principles in the coordinate activities calendar for each academic year. It shall also receive suggestions for cultural events from members of the College Community. Each member of the Committee shall be responsible to the Chairman for scheduling the events in his area within the established principles. An annual report, including a summary of budget information, on all events for the prior year shall be submitted from the Committee to the Faculty through the offices of the Deans in October.

L. *Committee on Reading.*

1. Membership. The Committee on Reading shall consist of three members of the Faculty appointed by the Dean of the College, with one appointed each year for a three year term. The chairman shall be from among the faculty of the Department of English.

2. Meetings. Meetings shall be at the call of the chairman.

3. Functions. The Committee shall read the judge essays submitted for prize competitions and designate recipients of awards.

M. *Committee on Academic Coordination.*

1. Membership. The Committee on Academic Coordination shall consist of the Dean of the College (*ex officio*), three members of the Faculty designated annually by the Committee on Academic Policy, and one undergraduate appointed annually by the Student Senate for a one year term. Kirkland College has a parallel membership insofar as the Dean, the Faculty, and student representation is concerned. The chairman is elected annually from among the members of the Faculty, with the requirement that the chairmanship shall alternate between Hamilton and Kirkland Colleges.

2. Meetings. The Committee shall meet at the call of its chairman, the Dean of the College, or the Dean of Academic Affairs.

3. Functions. The Committee serves to advise the Deans on any matter relating to the coordination of the Colleges which the Deans wish to have considered or which the Committee wishes to consider.

V. DEPARTMENTS OF THE FACULTY

The Departments of Instruction shall be: Anthropology, Art, Biology (Life Sciences), Chemistry, Classics, Economics, Education, English, Geology, German, Government, History, Mathematics, Music, Philosophy, Physical Education, Physics, Psychology, Religion, Romance Languages, Russian, and Speech.

A. *Meetings.*

1. In departments with two or more members, the chairman shall call at least one meeting of the department in each term of the academic year. Additional meetings may be called by the chairman and shall be called by him on request of at least one-third of the voting members of the department.

2. The voting members of the department shall be those faculty members in residence who hold appointments in the department as Professor, Associate Professor, Assistant Professor, or Instructor.

3. Departmental voting privileges of other members shall be determined by each department.

4. Appeal from a decision of the department may be carried by any member to the final authority of the President.

B. *Chairman.* The chairman shall be appointed by the President, in consultation with the Dean of the College, from among the members of the department for a term of four years. He may be reappointed. In order to ensure that each member of a department has an opportunity to express an opinion as to the choice of department chairman, communication between individual members of the faculty and the Dean of the College is encouraged.

In consultation with departmental colleagues, the chairman shall ensure that the educational, recruitment, and administrative functions of the department are effectively fulfilled. It shall be the duty of the chairman to call meetings of the department, as noted, and to preside over such meetings; and where issues bear upon coordination with Kirkland College, it is the chairman's responsibility to consult with appropriate faculty and Division chairmen at Kirkland. Unless other provisions are made by vote of the department, the chairman shall be the intermediary between the department and the officers of administration, and between the department and other departments; but it is expressly stipulated that direct communication between any member of a department and officers of administration shall at all times be free and open.

A department chairman shall continue to teach a normal load. A reduction in teaching load may be granted to a chairman by the Dean of the College if the burden of his responsibilities as chairman is unusually heavy in a particular term of year. Each department may, according to its needs, delegate other administrative functions to individual members or committees.

C. *Functions.* Subject to the authority reserved to the President and the Faculty, it shall be the function of a department:

1. To formulate the educational policy of the department in accordance with the overall academic policy established by the Faculty.

2. To provide proper courses for the carrying out of such policy.

3. To divide the work of instruction equitably among members of the department.

4. To encourage and assist members of the department to improve their teaching through periodic reviews and scheduled classroom visitations by departmental colleagues.

5. To formulate and carry out, in consultation with the Dean of the College and in accordance with the policies of the College, procedures to secure for the department the best qualified faculty.

6. To recommend to the library the purchase of all books charged to departmental appropriation.

7. To prepare the departmental budget, with the exception of salaries, and to determine the allotment of all departmental funds.

8. To provide for the business management of the department, its relations with the officers of administration and with the library, the purchase of supplies, the administration of laboratories, the awarding of honors and prizes, the preparation and approval of examinations, and such other administrative matters as are requested by the administrative officers.

D. *Appointments.* Responsibility for recommending departmental appointments, reappointments, promotions, and tenure lies with the regular departmental faculty already holding appointments not less than half-time according to the following procedure:

1. Professors who hold tenure shall vote on appointments to the rank of Professor and, with those Associate Professors holding tenure, on appointments and reappointments to the rank of Associate Professor. Actions taken shall be forwarded by the chairman as recommendations to the Dean of the College.

2. Professors and Associate Professors, with and without tenure, shall vote on appointments and reappointments to the rank of Assistant Professor. Actions taken shall be forwarded by the chairman as recommendations to the Dean of the College.

3. Professors and Associate Professors, with and without tenure, and Assistant Professors together shall vote on appointments and reappointments

to the rank of Instructor. Actions taken shall be forwarded by the chairman as recommendations to the Dean of the College.

4. The chairman shall consult informally with members of the department who are excluded from vote by the procedures mentioned herein, and shall summarize their views as well as those of the voting members in his departmental recommendation.

5. Recommendations for appointments to positions not otherwise mentioned shall be made in accordance with these general principles.

6. When departmental size or staffing patterns preclude reasonable application of these procedures, such modifications of these procedures as seem to meet their special requirements may be arranged with the Dean of the College provided that the general principles are followed.

E. *General Procedures.*

1. Role of the Faculty Member. A candidate for reappointment, promotion, or tenure has the opportunity to provide the Dean of the College and the Committee on Appointments, either directly or through his chairman, with material he believes will be helpful to an adequate consideration of his case.

2. Role of the Chairman. By October 1 each chairman shall provide to the Dean of the College a list of the names of his current faculty for whom action must be taken during the academic year, and in each case the nature of the action should be stated as reappointment in rank or promotion to the next higher rank. There should appear an indication as to whether or not a tenure decision is at issue.

By November 1 recommendations for reappointment, promotion, and tenure shall be conveyed in writing by the chairman of the department to the Dean of the College along with evidence of the candidate's qualifications, including a detailed statement on the candidate's performance as a teacher, a scholar, and a faculty colleague, with reference in the last instance to capability to assume broad responsibilities within the department and the faculty as a whole. The chairman should include a statement on the significance of the recommendation to the department and to the College, and he must include a report of the departmental vote, indicating only how many voted for and against the recommendation. Any member of the department, whether a party to the decision or not, is free to express his judgment in writing directly to the Dean of the College.

The departmental recommendation should be accompanied by a current *curriculum vitae*, and copies of published works if available, and when the candidate is to be considered for tenure or promotion to the rank of Associate Professor or Professor, the names and addresses of four colleagues employed elsewhere who can speak to the candidate's scholarship.

3. Role of the Dean. In consultation both with the chairman and the candidate, it is the responsibility of the Dean of the College to gather as full and complete a record as appears useful to the pending decision. Beside statistical data based on teaching evaluations filed in the Office of the Dean of the College, the Dean will routinely seek a written evaluation from the Tenure Panel of the Student Senate. He may also seek evidence in the form of letters from students who have studied under the candidate, with the students selected, where possible, from among majors, non-majors, and recent graduates.

Once gathered, copies of all letters, recommendations, and other supporting data, including materials supplied by the candidate, shall be distributed to the President and to members of the Committee on Appointments at least one week prior to the meeting at which initial consideration is taken. It is the Dean's responsibility to present the case before the Committee and to provide his own written recommendation and the reasons for it. Where the recommendation of the Dean is at variance with that of the Department, the Dean shall consult with the Department prior to submitting his written recommendation to the President.

4. Role of the Committee on Appointments. The Committee serves to advise the President on matters of appointment, reappointment, promotion, and tenure. Advice initially takes the form of a written recommendation, the reasons for it, and the number who voted for and against the recommendation.

The Committee may gather additional information during its consideration of a case through discussions with the Dean, members of the faculty, and students, and by such other means as it desires. However, Committee deliberations and voting always occur in executive session.

When the recommendation of the Committee is at variance with the recommendation of the Dean or of the Department, the Chairman of the Committee will call a meeting of the Committee, the Dean of the College, and the Department Chairman in order to attempt reconciliation prior to the Committee's recommendation to the President.

5. Role of the President. Final authority for all appointments, reappointments, and promotions lies with the President within the terms of the Charter and the By-Laws of the Board of Trustees, whereas offers of tenure require concurrence of the Board of Trustees. In those rare instances when the recommendations of the Committee on Appointments and the Dean remain at variance, the President may, at his discretion, refer the matter back to the Committee.

As soon as a decision is reached, the President shall inform the chairman of the Committee on Appointments and the Dean of the College. The candidate normally is informed of the decision by his chairman, although the Dean may do so at the request of the chairman. Written confirmation to the candidate comes from the President or the Dean of the College.

VI. POLICIES RELATED TO FACULTY ACTIVITY

Hamilton College prizes its reputation as a pre-eminent liberal arts institution for young men. If its long tradition of service to liberal learning is to be maintained, its faculty must be comprised of scholars for whom undergraduate teaching is a major professional commitment. Effective teaching takes many forms, but it centers upon the presence in the teacher of a lively intellect, a mastery of his discipline, the skill to disseminate what he already knows with enthusiasm, and the capacity to share the pleasures of new learning with his students. Therefore, Hamilton seeks to bring to its Faculty, above all, those scholars who excel as teachers.

A college is not only an institution for transmission of the best that has been thought and said, it also should be committed to critical reflection upon human knowledge and of its advancement. The excellence of a college depends not only on the teaching ability of its faculty but on their scholarly contributions as well. Publication is a very important form in which scholarly contributions can be made, but it is recognized that contributions may take other forms. The vitality of an intellectual community depends upon the commitment of its individual members to scholarship. Hamilton College believes that effective teaching and sound scholarship are mutually reinforcing. Accordingly, the College believes its faculty should be active scholars. Research is encouraged and expected.

Beside teaching and scholarship, members of the Faculty are expected to participate in the affairs of the College, including meetings of the Faculty, service on committees, and as advisors to undergraduates. The smallness of the College affords both opportunities and special obligations on the Faculty to realize the role members of the Faculty can play as citizens within the College Community and as useful models for her students.

Reappointment, promotions, and tenure decisions are based upon effectiveness in teaching, scholarly contribution, and the ability to assume a responsible role in the affairs of the College. Of these, the first two are the more important, but all weigh in the decision.

A. *Appointments.* The College normally will make initial appointments to the Faculty at the rank of Assistant Professor, but it may make appointments at higher ranks under exceptional circumstances. The College may make appointments at less than full-time when these will afford mutual benefit to the individual and the institution. Professional qualifications shall be the same for appointments to full-time and to less than full-time positions. Initial appointments normally will be terminal when they serve to replace regular faculty on leave or when they serve to meet a particular, but short-lived curricular purpose. In such cases the letter of appointment will make the terminal date explicit.

Except when an appointment is for a specified term and the letter of appointment states explicitly that renewal will not be considered, notice of non-

reappointment, or of intention not to reappoint, shall be given in writing at least six months before the expiration of an appointment for members of the faculty in their first or second year of service to Hamilton, and at least twelve months before the expiration of an appointment for members of the faculty who have served Hamilton for more than two years. When notice of non-reappointment comes later than these standards, a terminal year's appointment shall be offered.

1. Instructor. Appointments to the Faculty in this rank are normally made for persons who have not completed the requirements for the doctoral degree or other appropriate terminal degree. Appointments in this rank are made for one year and normally may not be renewed more than twice. Appointments may be made on a full-time or part-time basis, but part-time appointments shall not be less than half-time.

2. Assistant Professor. This is the usual rank for initial appointments to the Faculty and it is offered to qualified individuals who have completed the doctoral degree or other appropriate terminal degree. Appointments and reappointments are normally for a two-year term and may be made on a full-time or part-time basis, but part-time appointments shall not be less than half-time. Reappointment depends upon professional competence and upon institutional needs. Accordingly, there may be situations when highly qualified persons cannot be reappointed. These situations shall be outlined as clearly as possible in letters of appointment and reappointment.

Appointment as Assistant Professor may be made contingent on completion of the doctoral degree or other appropriate terminal degree. In the event that all requirements for the degree are not completed prior to July 1 of the initial calendar year of appointment, the appointment will be as Instructor for a term of one year. If such requirements for the degree are completed prior to September 1 of the initial year of appointment, the appointment will be converted to Assistant Professor for a term of two years. Promotion to Assistant Professor after September 1 requires recommendation from the department as would be the case for anyone holding appointment as Instructor.

Recommendation for promotion to the rank of Associate Professor normally will be acted upon during the sixth year of full-time appointment as Assistant Professor at Hamilton, and promotion becomes effective on July 1. Predoctoral experience ordinarily will not accelerate this decision. Those with post-doctoral experience in the rank of Assistant Professor at another institution normally will be considered for promotion early, but in no case earlier than the third year of full-time service at Hamilton, as agreed to in the initial letter of appointment. For part-time appointments, this decision normally will take place in the ninth year.

Reappointment in rank beyond the sixth year for full-time appointments, or beyond the ninth year for half-time appointments, normally will be terminal and for one year only.

3. Associate Professor. Only those individuals who clearly have demonstrated excellence in teaching and sound scholarly accomplishment will be appointed to the rank of Associate Professor. Implied in such appointments is the common interest of the individual and the College on a long-term association and subsequent promotion to the rank of Professor.

Initial appointments to the Hamilton faculty in this rank normally are made for a term of three years with the expectation that a decision regarding tenure will be reached no later than the end of the second year of the initial appointment.

Promotion into this rank ordinarily is with tenure. However, in certain cases, promotion and the granting of tenure will be separate actions, particularly if the individual has served on the Hamilton faculty for a relatively brief period. In such cases appointments usually will be for a term of three years with expectation that a decision regarding tenure will be reached no later than the middle of the third year after promotion to this rank.

Associate Professors normally serve for five to seven years in rank before being considered for promotion to the rank of Professor. Promotion at the end of five years will be considered only under exceptional circumstances. Promotions become effective on July 1.

4. Professor. Those appointed to the Faculty with this rank or promoted into this rank are expected to provide distinction to the Faculty as teachers, to have demonstrated sound scholarship, and to serve as leaders of the academic community. Initial appointment to this rank may be with or without tenure. In those cases where tenure is not offered, the appointment normally will be for a term of three years with the expectation that a decision regarding tenure will be reached not later than the middle of the third year.

5. Visiting Appointments. Term appointments to the Faculty as visitors normally do not extend beyond one year. It is understood that visitors may not hold a full-time appointment at another institution unless they are on leave from that institution. Appointments to visitors to serve as one term, two term, or one year replacements for regular Hamilton faculty on leave, or to serve other curricular needs, normally are made on a full-time basis and may not be made for less than half-time. Implicit in all visiting appointments is the understanding that no continuing relations to the Faculty of the College is anticipated.

6. Lecturer. The rank of Lecturer is offered to persons for the specific purpose of teaching one or two courses. Appointments to this rank must be less than half-time and they are made without other implicit obligations. Such appointments will be made for one or more terms on an annual basis.

B. *Schedule for Tenure Decisions.* In the summary schedule given hereafter, the terms *experience* and *service* refer only to service after completion of the doctoral degree or other appropriate terminal degree. A full policy statement of the schedule and terms of appointment appears under *Appointments*, and

should this summary be open to an interpretation contrary to the policy statement, the latter shall apply.

For those faculty members appointed to the Faculty without prior teaching experience elsewhere, tenure decisions normally will be made during the sixth year of full-time service at Hamilton. Those who are appointed in the rank of Assistant Professor and who have had experience elsewhere normally will be considered earlier than the sixth year, but in no case earlier than the third year of full-time service at Hamilton. For those appointed without tenure in the rank of Associate Professor, a decision regarding tenure normally will be reached not later than the end of the second year of full-time service at Hamilton. For those appointed without tenure in the rank of Professor, a decision regarding tenure normally will be reached not later than the middle of the third year of full-time service at Hamilton. Decisions regarding tenure for part-time members of the Faculty normally will be reached during the ninth year of service at Hamilton, but earlier consideration is possible, depending upon rank at the time of initial appointment and prior service elsewhere.

C. *Endowed and Named Chairs.* Hamilton College is fortunate to have a number of Chairs to which individual members of the Faculty are appointed by the President. Appointment to a Chair is an honor reflecting the special distinction that the holder of the Chair brings to the College and his profession. Many Chairs serve specific functions stipulated in the endowment or will of the donor, but several are without restriction. Appointments are normally for a fixed term but they may be renewed.

D. *Period of Appointments.* The period governing term appointments for members of the regular Faculty will be July 1 through June 30.

Retirement. Members of the Faculty appointed to tenure prior to October 8, 1949 may serve on the Faculty until age 70. Those appointed after that date must retire at the end of the academic year during which they reach age 65. At retirement each is designated *Emeritus.*

E. *Salary Schedules and Supplementary Income.* Faculty appointments normally are made on a twelve month basis, but it is understood that the faculty is freed from formal teaching at Hamilton during the summer. During the period when classes are not in session, those on continuing appointments have available for their use the full range of institutional facilities, including office space, library services, and computer facilities.

Individual salaries are paid at the end of each month in twelve equal installments over the year. Salary adjustments ordinarily are announced in March and take place effective July 1. New faculty receive the first two pay installments as a partial advance against services to be rendered in the forthcoming academic year. If for any reason the new faculty member cannot serve, it is encumbent upon him to return his salary advance under such terms as are agreed to by him and the Dean of the College.

1. Supplementary Compensation. Neither extra compensation nor honoraria are paid to Faculty by the College for participation in intra-College academic year activity. This rule derives from the assumption that the salary paid an individual represents full compensation for his total academic year obligation to the institution, whether in regularly scheduled instructional commitments, personal research, or participation on College committees and other activities. Members of the Faculty are free to accept honoraria and consulting fees paid from sources beyond the College. Off campus consulting must not involve absence from the Campus for more than two class days a month, except by special arrangement with the Dean of the College.

Members of the Faculty are free to supplement their salaries during the summer months. When the source of the supplement is a research grant, the amount of the salary supplement usually is determined by the granting agency but it may not exceed three-ninths of the current salary paid by the College for members of the Faculty who hold full-time appointments. The College does not contribute to TIAA/CREF for supplementary salaries.

F. *Statement on Sponsored Activities and Procedures.* The College, through its Faculty and officers of administration, has the responsibility of judging the merit and the relevance of sponsored activities, such as research, special educational and training programs, and summer institutes.

Sponsored activities should contribute to, rather than distort, the orderly development and growth of the College's central objective as a liberal arts institution. Sponsored activities should be proposed and carried out within regular departments of the College, or through cooperation of several departments, or through special administrative arrangements that will insure that the activity will be related effectively to the regular programs of the College and will serve the purposes of the institution.

The terms of the contract, grant, or gift in support of sponsored activity should permit the principal investigator or project director and the College to exercise administrative authority and responsibility for the activity, and they must permit publication of results (except for *ethical* restraint upon certain kinds of information).

Finally, Hamilton College can not undertake the responsibilities for activities for which the resources and support are not available to meet fully the explicit and implied objectives of the sponsored arrangements.

1. Procedures for Submission of Proposals. The typical proposal results from the interest of a small number of faculty members or a single individual. Preliminary discussions should be held between the principal investigator or project director and the department chairman. Such dialogue is necessary not only to keep the chairman informed, but also to advise him on any special requirement which might be needed to support the project, such as space, secretarial and technical assistance, or special equipment.

The principal investigator or project director is encouraged to consult with the Dean of the College so that the Dean has the opportunity to suggest specific sources of support that otherwise might not be known, to offer advice on the criteria stated earlier, and to provide assistance in the preparation of the budget.

Once approved by the principal investigator or project director and the chairman of his department, the final proposal is forwarded to the Dean of the College who shall serve as official signatory for the College. The completed proposal may be forwarded to the granting agency by the Dean or, at his request, by the principal investigator or project director. A copy of all proposals shall be filed with the Office of the Dean of the College and the Provost.

Procedures relating to notice of awards vary among agencies, but principal investigators are obliged to forward copies of notices of award to the Dean of the College and the Provost.

2. Research Involving Human Subjects. Pursuant to established regulations issued by the Surgeon General, the College has rendered a formal Assurance to the Department of Health, Education, and Welfare relative to research investigations involving human subjects. The Assurance provides that the rights and welfare of human subjects will be adequately protected, that the risk to an individual will be outweighed by the potential benefits to be gained, and that informed consent will be obtained when human subjects are judged to be at risk.

Accordingly, the College has established a review procedure as follows:

The Academic Council and one other person not affiliated with the College shall together serve to review all research proposals involving human subjects. Such review must precede submission of the proposal.

The review is based on the protocol outlined in the proposal, but the principal investigator or project director may be asked to meet with the Review Committee to provide additional detail on the research procedures involved.

The Committee shall first determine whether or not the research protocol to be applied will place the human subject *at risk*. Only where this is the case is the review continued and expanded to assure that informed consent will be obtained and that the rights and welfare of the human subjects are adequately protected.

G. *Faculty Leaves*. Leaves from teaching duties are provided to permit faculty members to engate in activities that will advance their competence as teachers and scholars at Hamilton; or to realize opportunities or obligations as consultants or participants in projects of various sorts including those sponsored by the Federal government and professional societies.

1. Leaves on Own Charges. Leave of absence from teaching duties

without compensation from Hamilton to pursue activities that will enhance one's capabilities as a teacher and scholar may be requested by a faculty member at any time. Requests for leaves of absence should be directed in writing to the department for endorsement and transmission to the Office of the Dean of the College. Approval will be based upon the ability of the department to meet its obligations, and the reasonableness of the proposed activity. In general, early requests are more easily accommodated.

A leave of absence from the College will be limited to an uninterrupted period not to exceed two years, and for faculty members in untenured appointments, the period of absence does not count toward the scheduling time for the tenure decision.

Faculty members on leaves without pay from the College may wish to continue contributions to TIAA/CREF from their own resources in the absence of College contributions, and they may make similar arrangements to continue certain insurance benefits.

2. Leaves of Necessity. Leaves for reasons of health or other personal necessity may be granted by the President under terms arranged between the President and the individual. The College will provide for paid short-term leaves of absence, through formal or informal arrangements, for faculty members who are ill or temporarily disabled. The conditions and duration of compensation for short-term leaves for pregnancy, childbirth, or family emergencies involving spouse, parents, or children, shall be analogous to those for leaves granted for temporary disability or personal emergencies. The timing and duration of absence in such cases shall be determined by mutual agreement between the faculty member and the President, and shall be based on medical need, the requirements of the educational program, and individual circumstances. Compensation during short-term leaves of absence for childbearing or the serious illness of a family member shall be consistent with customary institutional practices in cases of illness or temporary disability.

3. Longer-term leaves of absence of child-rearing. The rearing of children shall be considered appropriate grounds for a leave of absence of a semester or more, and such leaves shall be available to both men and women faculty members. The timing and duration of such leaves shall be determined by mutual agreement between the faculty member and the institution. Faculty members on child-rearing leaves shall receive the same consideration with respect to salary increments, insurance coverage, retirement annuities, and the like, as are received by faculty members on leave for public or private service outside the institution.

H. *Faculty Fellowships*. By action of the Board of Trustees, each year the President, in consultation with the Dean of the College and the Committee on Appointments, may award up to six Faculty Fellowships to tenured members of the Faculty. These awards are competitive and are supported by special endowments to the College. Among the recipients, one may be designated a Gertrude Flesh Bristol Fellow. This special honor is accorded to a faculty

member granted a leave who has already established himself as a scholar of distinction.

Normally, two Margaret Bundy Scott Fellowships are granted each year to untenured members of the Faculty who have served at least three years at the College. These awards are made by the President, in consultation with the Dean of the College and the Committee on Appointments. Faculty Fellowships are not awarded to assist members of the Faculty to complete requirements for the terminal degree.

The purpose of Faculty Fellowships is to allow members of the Faculty to pursue programs of study and research of importance to their professional growth and competence as teachers and scholars at Hamilton. The basic criterion considered in evaluating a proposal is its intellectual merit, but assurance is required from the Department that the Fellow's absence during the period of the Fellowship will not have adverse effect on the Department's program of instruction.

Recipients shall agree not to engage in any remunerative employment or other contractual agreements during the period of leave that will interfere with the proposed scholarly activity or that will, when added to the Fellowship obligation comprise more than a full-time commitment.

Fellowships normally provide full salary for half of the academic year or half-salary for one academic year, and the preferred arrangement must be stated as a part of the proposal. During the period of the Fellowship full fringe benefits remain in effect.

Directions for preparing applications may be obtained from the Office of the Dean of the College, and they must be submitted to the Dean not later than April 15 and at least one full calendar year in advance of the beginning of the academic year in which the Fellowship is sought. Late applications will be considered only if one or more Fellowships for the year in question remain to be awarded.

I. *Travel to Professional Meetings.* To encourage Faculty to take an active part in their professional societies and make scholarly contributions within their disciplines at such meetings, the College underwrites certain of the expenses involved. However, the funds available for this purpose are modest and, where possible, faculty members are urged to seek reimbursement for such expense from other sources.

Subject to the foregoing, members of the Faculty in the instructor and professorial ranks will be reimbursed for their actual expenses incurred for travel and attenance to one professional meeting a year up to a maximum of $300.

Occasionally a faculty member will wish to attend more than one professional

meeting a year or will find that the maximum of $300 is inadequate. In these cases additional sums may be authorized by the Dean, subject to the availability of funds. Priority will be given to those who are to participate in the program of the meeting, either by presenting a paper, serving on a panel, or as an officer of the Society.

All requests for funds in support of faculty travel should be directed in writing to the department for endorsement and transmission to the Dean of the College.

Accounting of expenses should be made promptly upon completion of the trip by use of the travel expense voucher form available in the Office of the Dean of the College and the Business Office. The form must be signed by the traveler and the Dean of the College. To satisfy IRS requirements, this voucher must show the inclusive dates of the travel, the nature of the business conducted, the kind of transportation used, and the individuals seen at each place. The accounting must be on a day-to-day basis and substantiated by hotel bills for lodging, receipts for transportation as available except when transportation costs have been billed directly to the College, and details of any other single expenditure of $25 or more.

Travel Advance. Faculty members may obtain cash advances from the Business Office after that Office has received a copy of the authorization sent to the faculty member. Such advances must be accounted for upon completion of the travel by submission of a travel expense voucher. Amounts not accounted for should be reimbursed when the voucher is submitted.

J. *College Support of Research.* Each year limited funds are set aside by the College to assist members of the Faculty in their research activities. Faculty members may request assistance to meet a variety of needs, including travel for research, research assistants, secretarial assistance, reproduction of manuscripts, or the acquisition of special materials and minor equipment.

The Faculty is apprised of this resource early in the Spring term by the Dean of the College. All requests for research assistance should be submitted to the Office of the Dean by April 15 preceding the academic year for which the funds are sought. Awards are made by the Dean of the College, in consultation with the Academic Council. Late requests will be considered, subject to the availability of funds.

K. *Statement on Freedom of Expression and Dissent.* Hamilton College prizes and defends the right of free speech, and the freedom of the individual to make his own decisions while it also recognizes that such freedom exists in the context of law and of responsibility for one's actions. The exercise of these rights must not deny the same rights to any other individual. The College therefore both fosters and protects the rights of individuals to express their dissent. Protest or demonstration shall not be discouraged so long as neither force nor the threat of force is used, and so long as the orderly processes of the College are not deliberately obstructed.

L. *Equal Opportunity Employment.* In the fall of 1975 the Trustees and the Faculty adopted the following resolution.

> The Trustees of Hamilton College reaffirm the policy of the College to treat all appointments, assignments, promotions and conditions of employment in a non-discriminatory manner, and without regard to race, color, creed, sex, or national origin.

VII. FACULTY SALARY PROCEDURES AND BENEFITS

This section contains a general statement of procedures used in the payment of salaries, along with explicit statements of the benefits which attend appointment to the Faculty. Unless indicated otherwise, questions that pertain to salary payment should be addressed to the Payroll Office whereas questions that pertain to benefits should be addressed to the Office of the Provost.

A. *Salary Payment.* Members of the Faculty, whether full or part-time, normally are appointed effective July 1, and are paid at the end of each month in twelve equal installments. When salary adjustments are made, they become effective on July 1 with the adjustment reflected in the payment received on July 31.

New members of the Faculty receive the first two salary installments (July 31 and August 31) as a partial advance against services to be rendered in the forthcoming academic year. If for any reason the new faculty member cannot serve, it is encumbent upon him to return his salary advance under such terms as are agreed to by him and the Dean of the College.

Persons appointed in the rank of Lecturer teach less than half-time and hold appointments for one or two terms only. Salaries or stipends are paid in a manner agreed to mutually by the Lecturer and the Dean.

Upon request, members of the Faculty may have their salary checks deposited by the College in their personal accounts at the Hayes National Bank in Clinton. This service is not available with other banks.

B. *Benefits for Full-Time Faculty Members.*

1. Moving Expenses. Allowances against moving expenses are authorized at the time of initial appointment for new members of the Hamilton Faculty. These allowances are intended to make a significant contribution towards the cost of relocation. The amount of the allowance is set forth in the letter of appointment to the faculty member and upon request, the faculty member may receive an advance from the Business Office in the amount of the allowance. Accounting for moving expenses and/or a claim for reimbursement therefore

should be submitted to the Business Office immediately after the move has been completed.

Moving expenses are defined by the College as including the actual charge for transportation of household effects, furnishings, and personal effects, and charges for packing and for in-transit storage. They also include expenses incurred in travel from the former to the new residence including transportation, meals and lodging for the faculty member and his family, but only for one trip from the old residence to Clinton. They do not include expenses for meals and temporary lodging incurred in situations where the new faculty member must vacate his old residence before moving to his new location, nor where his new residence is not immediately available for occupancy, nor expenses on a preliminary trip to the new location.

Moving allowances may not exceed the total moving expenses as defined by the College, and in most instances moving allowances will be less than the expenses. The amount of the allowance is determined primarily by the distance of the old residence from the College and by the amount of household and personal effects to be moved.

2. Retirement Annuity Contract. The College contributes 7 ½% of the maximum salary covered by the Social Security Program and 10% of salary over that amount toward a retirement program sponsored by the Teachers Insurance and Annuity Association (TIAA/CREF). This benefit accrues as salary is paid, and additional contributions may be made voluntarily by members of the Faculty. The full amount vests immediately. A current fact sheet describing TIAA/CREF benefits and programs is available in the Payroll Office.

3. Group Life Insurance. Faculty members are enrolled automatically for term life insurance. The College pays the full cost of $2,000 coverage and shares with the faculty member the cost of additional coverage to the maxima indicated below:

Year during which the faculty member attains	Amount of life insurance
Age 49 or less	4 times the annual salary
Age 50 through 54	3 times the annual salary
Age 55 through 59	2 times the annual salary
Age 60 or more	1 times the annual salary

Enrollment for the additional coverage also is made automatically to the appropriate maximum unless full participation is expressly waived. Details of costs and contributions are available in the Payroll Office. Conversion to permanent coverage is available at the time of retirement, in which case full cost is assumed by the retiree.

4. Group Disability Insurance. Faculty members who are over age 30, and who have been employed by the College for more than two years, may apply for Group Disability Insurance. The cost is shared equally between the faculty member and the College. New faculty members who have been enrolled elsewhere in a similar plan with TIAA within three months preceding the date of appointment at Hamilton also are eligible for coverage.

In the event of total disability, the plan presently provides for monthly payments of 60% of the first $1,500 of salary and 40% of salary above $1,500 to a maximum of $1,500 per month. The payments begin six months after the disability is incurred and continue as long as the insured is disabled, or until age 65. The policy also provides for waiver of TIAA/CREF premiums normally paid during the period of disability.

5. Hospital, Surgical, and Major Medical Insurance. Blue Cross Plan (hospital expenses), Blue Shield Plan (surgical expenses), and Major Medical coverage (with TIAA) are available to faculty members without cost to them. Faculty dependents can be covered under any of these plans, but the additional cost is paid by the faculty member. Application for dependent coverage should be made at the time appointment to the Faculty becomes effective. Coverage may be continued at the time of retirement, in which case full cost is assumed by the retiree.

6. Workmen's Compensation. All faculty members are covered by Workmen's Compensation without cost to them. Weekly payments and compensation for medical bills become available if injuries are incurred on the job or during travel to and from work. To avoid possible loss of benefits under this plan, faculty members must report promptly to the Business Office any injuries sustained in connection with their work.

7. Travel Accident Insurance. In the event of death while traveling on College business, a single payment will be made to beneficiaries in the amount of $25,000 for untenured Faculty and $50,000 for tenured Faculty at no cost to faculty members. Coverage includes those on fellowships and programs abroad which are approved by the College.

8. Professional Travel. To encourage Faculty to take an active part in their professional societies and to make scholarly contributions within their disciplines at such meetings, the College underwrites certain of the expenses involved, including transportation, lodging, and meals. Members of the Faculty will be reimbursed for actual expenses incurred for travel and attendance to one professional meeting a year up to a maximum of $300. Additional funds may be authorized by the Dean of the College, subject to the availability of funds.

Requests for funds in support of travel should be directed in writing to departmental chairmen for endorsement and transmission to the Dean of the College. The request must state the name of the society or meeting, its date and place, the nature of the participation, and an estimate of the cost. The Dean will authorize the travel and establish the allowance through written notice to the

faculty member, with a copy to his chairman and the Business Office. After authorization, faculty members may obtain a cash advance.

An accounting of expenses should be made promptly upon completion of the trip by use of the travel expense voucher form available from the Business Office. Amounts advanced and not accounted for should be reimbursed to the College when the voucher is submitted.

9. Funds for Entertaining Students. For expenses incurred in the entertainment of students in the home, each faculty member may obtain an allowance in advance from the Business Office. The allowance may not exceed $100 per year, and faculty members are expected to fill out a brief expense report at the end of each academic year and submit it to the Business Office.

10. Faculty Housing. The College has rental housing located on or near the campus. Occupancy charges are made by payroll deduction at the end of each month.

The College has building lots available for sale to qualified faculty members (normally those on tenure) who may then construct houses with College financing at a rate of interest below the market rate. The College also owns some houses which it is willing to sell to faculty members, again with College financing. In all such sales of lots and/or structures, the College reserves a repurchase option should the faculty member cease to be affiliated with Hamilton through normal retirement.

The faculty housing program is administered by the Provost, the details are available in his office.

11. Scholarship Plan for Children of Faculty. The College provides for each child of tenured members of the Faculty a tuition scholarship up to $750 for each year that the child attends an accredited undergraduate four-year college or an accredited undergraduate two-year junior college, provided that the child remains in good standing at the institution in which he is enrolled. The scholarship in any year may not exceed the actual tuition charged by the institution and it may not be applied to room and board. The scholarship is awarded annually and it is limited to four years when attendance is taken at a four-year college, and to two years when attendance is taken at a two-year junior college unless transfer is made to a four-year college, in which case the scholarship is for as many years as remain to reach a total of four.

Faculty eligible for this benefit should notify the Business Office by submitting a copy of the college bill as soon as it is received. Payment is made directly to the institution where the child is admitted or enrolled.

Children of tenured members of the Faculty who attend either Hamilton or Kirkland College will receive remission of full tuition charges, less any and all scholarships awarded from other sources.

12. Scholarship Plan for the Spouse of Faculty. The College provides for the remission of full tuition charges, less any and all scholarships awarded from other sources, for the spouse of tenured members of the Faculty, provided the spouse is a candidate for the degree at Hamilton or Kirkland College and enrolled as a full-time student. No tuition scholarship is provided when study is undertaken elsewhere.

13. Hamilton Club of New York. Any member, or former member, of the Faculty who has been at the College for at least three years, may obtain a membership in the Hamilton Club of New York with full club privileges.

The Club shares the facilities of the Williams Club at 24 East 39th Street. These include dining rooms, lounges and meeting rooms, and a limited number of overnight accommodations.

14. Athletic Facilities. Subject to such regulations as may be issued from time to time by the Department of Physical Education, members of the Faculty and their immediate families may use the athletic facilities of the College without charge, provided that use does not interfere with practice sessions, scheduled games, and classes in physical education. Facilities include, in season, tennis courts, a golf course, squash and handball courts, a swimming pool, and an ice skating rink. In addition, there are bowling alleys, pool tables, and ping-pong tables in the basement of the Bristol Campus Center which may be used by the Faculty and their families, subject to regulations issued by the Director. There are charges for the use of some of the facilities in the Bristol Center. Children under 12 years of age require adult supervision while visiting the games lounge; moreover, dependents of junior and senior high school age may be asked to produce identification or to be escorted by a matriculated student, faculty or staff member.

15. Use of College Buildings. The College Chapel may be used by the Faculty and their immediate families for weddings and funerals, provided that there is no interference with other scheduled events. Arrangements for weddings should be made well in advance with the Director of Bristol Campus Center.

Classrooms may be made available to faculty members for special purposes as long as their use is related to the educational process. Scheduling with the Registrar must be done in advance.

Meeting rooms and lounges in the Bristol Campus Center, as well as other public areas on campus, may be reserved for Faculty use by coordinating with the Director of the Bristol Campus Center.

C. *Benefits for Part-Time Faculty Members.* Faculty members who teach less than full-time, but half-time or more, normally receive the same benefits as full-time faculty members with the exception of moving expenses. However, under the plans covering group disability, hospital, surgical and major medical insurance, the contribution of the College and faculty member is *pro rata*. The

scholarship plan benefits are available, *pro rata*, to tenured faculty members who teach half-time or more (See Section VII-11). When a faculty member and his spouse both hold tenured appointments, whether full-time, part-time, or in combination, the tuition scholarship cannot exceed $750 per year for each dependent child. The scholarship in such cases will be based upon whichever appointment affords the larger scholarship grant.

Benefits for Visiting Faculty Members.

1. Retirement Annuity. A faculty member appointed for a term of 12 months or less ordinarily is *not* entitled to the College's contribution toward the cost of annuities. However, he may authorize Hamilton to deduct a percentage of his salary and to pay this amount to TIAA/CREF.

2. Hospital, Surgical, and Major Medical Insurance. A visiting faculty member and his dependents are eligible for these benefits unless similar protection is available under the insurance plans of another institution which remain in force during the appointment at Hamilton.

3. Other Benefits. Visiting faculty members normally are entitled to moving expenses, travel accident insurance, the student entertainment allowance, College rental housing, access to athletic facilities, and the use of college buildings.

APPENDIX: REVIEW AND APPEALS PROCEDURES

A. *Non-Renewal of Appointment or Failure to Promote.* The Faculty and Officers of the College have the responsibility to recruit and retain the finest faculty possible within the means and resources available to the institution, and they should be accorded the widest latitude consistent with academic freedom and fairness in the discharge of this responsibility.

Of necessity, the judgments affecting decisions on reappointment and promotion are in some degree comparative and prospective, and it is not possible to specify in advance the full range of considerations that may be relevant to particular cases. Nevertheless, the College recognizes that, despite every effort to reach such decisions equitably, cases of improper consideration or inadequate consideration may conceivably occur. For such extraordinary cases, the College has established the following procedures.

1. Grounds for Review. There are two grounds for review: first, alleged violation of academic freedom (other than procedural errors violating academic freedom) or alleged violation of College policy stipulating that employment and

conditions of employment will be made in a non-discriminatory manner with regard to race, color, creed, sex, or national origin (*improper consideration*); and second, alleged violation of the procedures stated in the Faculty Handbook (*inadequate consideration*). As grounds for review, inadequate consideration is limited to procedural matters and it is not intended as a means whereby the departmental judgment on the substantive issue of professional competence can be reviewed.

2. Review Procedure. A decision against reappointment or promotion normally is communicated orally to the faculty member concerned by the department chairman or the Dean of the College as soon after the decision as is practical. In every case notification is confirmed in writing by the President or the Dean of the College within twenty days of the decision.

Should the faculty member believe that improper or inadequate consideration contributed to the decision not to reappoint or promote, he may ask the Dean for an oral account of the reasons that contributed to the decision; and if the faculty member wishes, he may then ask the Dean for reconsideration of the decision by those who participated in it, indicating at that time the factors which he believes warrant such a reconsideration. All such requests for reconsideration must be made within thirty days following written notification of non-reappointment. The Dean shall report orally to the faculty member the findings of the reconsideration as they relate to the factors which were believed to warrant it, and this report shall be given within twenty days following the request.

Should the faculty member still believe he is aggrieved because the decision was based upon improper or inadequate consideration, he may ask the Dean for a written statement of the reasons that contributed to the decision against reappointment or promotion. The Dean shall, within two weeks, provide such a written statement. Should the faculty member decide to ask for a formal review, he may petition in writing the Secretary of the Faculty to initiate a formal review of the decision. The petition must be received within ten days following the receipt of the Dean's oral report of the findings of the reconsideration, or of the Dean's written statement, and it must stipulate the respect(s) in which the petitioner believes consideration to have been improper or inadequate. It must also state that the petitioner agrees to the presentation for consideration by a Review Committee of such reasons and documents as the College (through the Dean) may adduce in support of its decision, it being understood that the Review Committee, in order to discharge its responsibility, must have access to whatever information the College weighed in reaching its decision.

Upon receipt of the petition, the Secretary of the Faculty shall form a Review Committee. It shall be composed of three faculty members drawn by lot from the Board of Six, a group of six members of the Faculty elected annually by the Faculty for this purpose. The Review Committee shall conduct a formal hearing of the allegations contained in the petition as a tribunal governed by the section entitled "Hearing Procedures" set forth hereafter. A copy of the petition

shall be delivered to the Review Committee and to the Dean of the College as soon as the Review Committee is convened.

With respect to claims of inadequate consideration, the Review Committee will not substitute its own judgment for that of those who made the original decision. Nor will it concern itself with the possibility that others might have arrived at a different judgment. Its terms of reference extend only to an investigation of the procedures by which the original judgment was reached and of the charge that inadequate consideration was involved.

In addition to decisions concerning reappointment and promotion, a faculty member may appeal other decisions to which judgments of professional merit were relevant if he alleges that improper or inadequate consideration was involved. In such appeals, the procedures of Part A of this Appendix shall apply.

B. *Termination of Appointment for Institutional Cause.* The Trustees and Faculty of Hamilton College agree that the principle of academic freedom is fundamental to the life and work of the institution and all who serve it in the responsible performance of teaching and scholarly pursuits. The Trustees and Faculty accept the principle of academic tenure as a means conducive to that independence of mind and speech essential to higher learning in a free society. Academic tenure is a status which presupposes rigorous, sustained, professional preparation and performance, and the obligation on the individual's part to work according to the spirit and methods of responsible inquiry and teaching.

Termination of an appointment with tenure, or of a non-tenured appointment before the end of the specified term, may be effected by the College upon due notice but only for adequate institutional cause. The burden of proof that adequate cause exists rests with the College and shall be satisfied only by a preponderance of the evidence considered as a whole.

1. Grounds for Termination. There are two grounds for termination for institutional cause: *bona fide* financial exigency; and discontinuation of a program or department of instruction. Terminations for reasons of financial exigency normally shall be made in order of increasing seniority by rank, and within rank, inversely with length of service.

2. Review Procedure. Where termination of an appointment with tenure, or of a non-tenured appointment before the end of a specified term, is based upon either *bona fide* financial exigency or discontinuation of a program or department of instruction, the President shall notify the faculty member in writing of the terminal date and the institutional grounds for termination; and in such cases no member of the faculty in the rank of Instructor or above shall have less than six months' notice, and for a faculty member who has completed two or more years of service to the College, at least one year's notice shall be given.

If an appointment is terminated before the end of the period of appointment

because of financial exigency or discontinuation of a program or department of instruction, the released faculty member's place will not be filled by a replacement within a period of three years unless the released faculty member has been offered reappointment and a reasonable time within which to accept or decline it. Further, before terminating an appointment because of discontinuation of a program or department of instruction, the institution will make every reasonable effort to place affected faculty members in other suitable positions.

If he so requests, a faculty member who received notice of termination because of *bona fide* financial exigency or discontinuation of a program or department of instruction will be advised orally by the Dean of the College of the detailed reasons that contributed to the decision. Should the faculty member believe that the College had failed to establish adequate cause, he may request the Dean of the College to state in writing with reasonable particularity the factors that contributed to the decision. The faculty member shall maintain the confidentiality of any such factors reasonably deemed confidential by the College.

Should a written statement be provided and the faculty member still believe that the College failed to establish proof of adequate cause, he may petition in writing the Secretary of the Faculty to initiate a formal review of the decision. The petition must be received within ten days following the receipt of the written statement of particulars, and it must state that the petitioner agrees to the presentation for consideration by a Review Committee of such reasons and documents as the College (through the Dean) may adduce in support of its decision, it being understood that the Review Committee, in order to discharge its responsibility, must have access to whatever information the College weighed in reaching its decision.

Upon receipt of the petition, the Secretary of the Faculty shall form a Review Committee. It shall be composed of three faculty members drawn by lot from the Board of Six, a group of six members of the Faculty elected annually by the Faculty for this purpose. The Review Committee shall conduct a formal hearing of the allegations contained in the petition as a tribunal governed by the section entitled "Hearing Procedures" set forth hereafter. A copy of the petition shall be delivered to the Review Committee and to the Dean of the College as soon as the Review Committee is convened.

C. *Termination of Appointment for Incapacity*. Termination of an appointment with tenure, or of a non-tenured appointment before the end of the specified term, may be effected by the College upon due notice for incapacity, as determined on the basis of clear and convincing medical evidence. The decision to terminate will be reached only after there has been appropriate consultation by the faculty member, or his representative, with the Dean of the College and the President. Notice of termination shall be given in writing by the President, but the reasons for termination will *not* be included in the notice except at the request of the faculty member or his representative. No member of

the faculty in the rank of Instructor or above shall have less than six months' notice, and for a faculty member who has completed two or more years of service to the College, one year's notice shall be given. The President may grant a leave to the faculty member for all or part of the period between written notice of termination and the termination date, but salary and fringe benefits in effect at the time written notice was given shall remain in full force until the date of termination.

If the person whose appointment is being terminated so desires, he may request that the decision be reviewed by a committee of three members chosen by lot from the Board of Six. The Committee shall make a recommendation to the President who then shall make the final decision.

D. *Dismissal or Other Sanctions.* Both the Faculty and the Trustees acknowledge their obligation to uphold standards of academic excellence and responsibility. Action against a faculty member for unsatisfactory service thus requires cooperation between the Faculty and the Trustees and may be effected by the College only for adequate cause. Such action may include termination of an appointment with tenure, termination of a non-tenured appointment before the end of its specified term, involuntary leave from College duties, or any other major changes in the conditions of employment that diverge from the ordinary agreements.

To show the existence of adequate cause for dismissal or invocation of some other sanction requires demonstration of the unfitness of the faculty member either in his professional capacity or in his behavior as a member of the Hamilton community. In order to protect academic freedom, while at the same time serving the interests of the College as a community, the procedures following will be used to determine whether or not adequate cause exists.

1. Procedure.

a) Allegations from any source that adequate cause exists for dismissal or some other sanction shall first be considered by the Dean of the College. If the Dean concludes there is substance to the allegations, he shall discuss them with the faculty member concerned in an effort to reach mutually agreeable arrangements. It is understood that both parties will hold the other party's statements in confidence.

b) If mutually agreeable arrangements cannot be made between the Dean of the College and the faculty member, the Dean may then, in his discretion, prepare a petition which shall state all pertinent allegations in writing with reasonable particularity, citing their sources and the reasons why, if the allegations are substantially true, they might constitute adequate cause for dismissal or some other sanction. This petition shall be transmitted to the faculty member involved and to the Secretary of the Faculty who, upon its receipt, shall form a Council of three members of the faculty to be chosen by lot from the Board of Six, a group of six members of the faculty elected annually by

the faculty for this purpose. The Council shall conduct a formal hearing of the allegations. It shall be a tribunal governed by the section entitled "Hearing Procedures" set forth hereafter.

c) A member of the Council will remove himself either at the request of one of the parties or on his own initiative. Each party will have the right to remove one member from the Council without stated cause. Any vacancies thus created will be filled by the Secretary of the Faculty by lot from the remaining members of the Board of Six. No member will serve on the Council if he is related to a party or has assisted substantially in the preparation of a party's case. A presiding officer of the Council will be chosen for each case from among themselves by the Council members. During the proceedings before the Council, both parties and the Council shall be permitted legal counsel.

d) A faculty member may be temporarily suspended during proceedings against him normally by vote of the Committee on Appointments, but the President alone may take such action. Grounds for imposing such a temporary suspension will be the likelihood of inflicting immediate harm either to the faculty member or to others through his continuance. Salary and fringe benefits will continue during the period of suspension.

e) Formal proceedings will begin when the Dean delivers the petition to the faculty member and the Secretary of the Faculty.

E. *Hearing Procedures.*

1. Organization of the Tribunal.

a) Discussion of the case, including discussion of procedural matters, should be strictly limited to occasions when the Tribunal is meeting as a body. In no event should the views of either party be heard by the Tribunal in the absence of the other party.

b) Two members of the Tribunal shall constitute a quorum, but if possible all three members should sit at all proceedings. If at any time all three members are not present, it shall be open to either side to request a postponement of the hearing until all three can be present.

c) The Tribunal shall select a chairman from among its members and the chairman shall preside at all sessions of the Tribunal.

d) All decisions and actions by the Tribunal shall require the approval of at least two members. Written dissenting or concurring opinions are permitted.

2. Parties and Attorneys.

a) The parties to a formal hearing governed by these procedures shall

be the faculty member whose rights are in issue (who shall be petitioner in cases when non-renewal or termination for institutional cause is at issue, and respondent when dismissal or other sanction is at issue) and the Dean (who shall be respondent when the faculty member is petitioner, and vice versa).

b) The parties to a formal hearing may, but need not, be represented by counsel at all stages.

c) At their election, parties may present, examine, and object to evidence.

d) Parties and attorneys are admonished not to discuss the proceedings with members of the Tribunal unless the Tribunal is meeting as a body and the adverse party or his attorney is present or afforded the opportunity to be present. This does not, however, preclude a party or his attorney from reviewing with the Chairman purely technical matters, such as the names of witnesses or the nature of documents to be introduced at a subsequent hearing, arranging with him for the duplication of documents, and the like.

e) The Tribunal shall be permitted legal counsel if either or both parties are represented by counsel.

f) The College shall not select or pay for counsel to the faculty member whose rights are in issue.

3. General Rules of the Tribunal.

a) The Tribunal shall afford the parties thirty days written notice, sent to their campus address, of the date and time of the first evidentiary session of the hearing. Thereafter oral notice of adjourned sessions shall be sufficient.

b) Unless otherwise mutually agreed by the parties, all sessions of the Tribunal, whether evidentiary or other, shall be held in the Trustee Conference Room, Buttrick Hall.

c) A verbatim written record shall be kept and made available to both parties and to the Tribunal. Except for such purposes, no visual or audio recording or broadcasting devices shall be permitted.

d) The hearings of the Tribunal shall be open to the college community at the request of the faculty member party, but the Tribunal may close portions of the hearing or limit the number of observers at its discretion.

e) All parties, participants, witnesses and spectators will observe strict rules of decorum.

f) The Tribunal will strive to conduct the hearing as expeditiously as possible.

g) Parties will not issue statements, releases or interviews to the media during the pendency of the hearing.

h) A party shall provide three copies of all papers presented to the Tribunal and provide at least one copy to the adverse party. All copies shall conform to the original paper.

4. Framing of Issues.

a) At least twenty days prior to the first evidentiary session of the hearing the petitioner shall serve upon the Tribunal and the respondent a written outline consisting of plain and concise statements, in consecutively numbered paragraphs, of sufficient particularity to give the Tribunal and the respondent reasonable notice thereof, of the material transactions, occurrences, events, conduct and omissions intended to be proved at the hearing.

b) Within ten days after service of the outline, the respondent shall serve upon the Tribunal and the petitioner a written answer either admitting or denying each paragraph in the outline, paragraph by paragraph. All paragraphs not denied shall be deemed admitted. No proof will be required as to points that are admitted. In addition, the respondent's answer will contain all affirmative defenses to the charges made in the petition.

c) Each party's outline of proposed proof, and the other party's answer thereto shall be dated and subscribed by the party authoring it.

d) At any time after receipt of the above papers, either party may object to the relevancy of any proposed item of proof. The Tribunal shall make rulings on such objections as early as possible, and in doing so may hear arguments by the two parties.

5. Evidence and Proof.

a) Each party shall present evidence in support of any of his points that are denied by the other party. The total evidence shall be considered by the Tribunal in rendering its recommendation to the President. The petitioner may ask the Tribunal for access to information in his personal file if he believes such information was used in reaching the decision being appealed. This request shall be granted if the Tribunal judges the material relevant to the proceedings.

b) A party is not required to present evidence as to those matters which are deemed admitted by the other party.

c) The order of proof shall be as follows: the petitioner shall first offer proof, followed by the respondent. Thereafter, each shall have an opportunity for rebuttal in the same order. Sur-rebuttal by each side may be permitted in the discretion of the Tribunal, and when permitted, the petitioner shall precede the respondent.

d) Parties shall be afforded the opportunity to cross examine adverse witnesses. The Tribunal may receive and may solicit statements of law or custom bearing on the case from individuals or groups with interest and competence in the law or custom, as the case may be, pertinent in academic affairs. In each instance such statements will immediately be submitted to both parties for study and comment.

e) The Tribunal may examine witnesses.

f) Strict legal rules of evidence as existing in the State of New York shall not apply but shall be considered a guide and benchmark for the Tribunal.

6. Findings and Decisions

a) At the close of the hearings the parties may submit requests to the Tribunal for specific findings based upon the evidence.

b) The Tribunal shall render its written decision within thirty days after the close of the hearing.

c) The written decision shall respond to the parties' request for findings.

d) Members of the Tribunal may submit or join in concurring or dissenting opinions.

e) The decision of the Tribunal shall carry with it a recommendation to the President as to the President's disposition of the case.

f) The decision of the President shall be final and he shall communicate his decision and the reasons therefor in writing to both parties.

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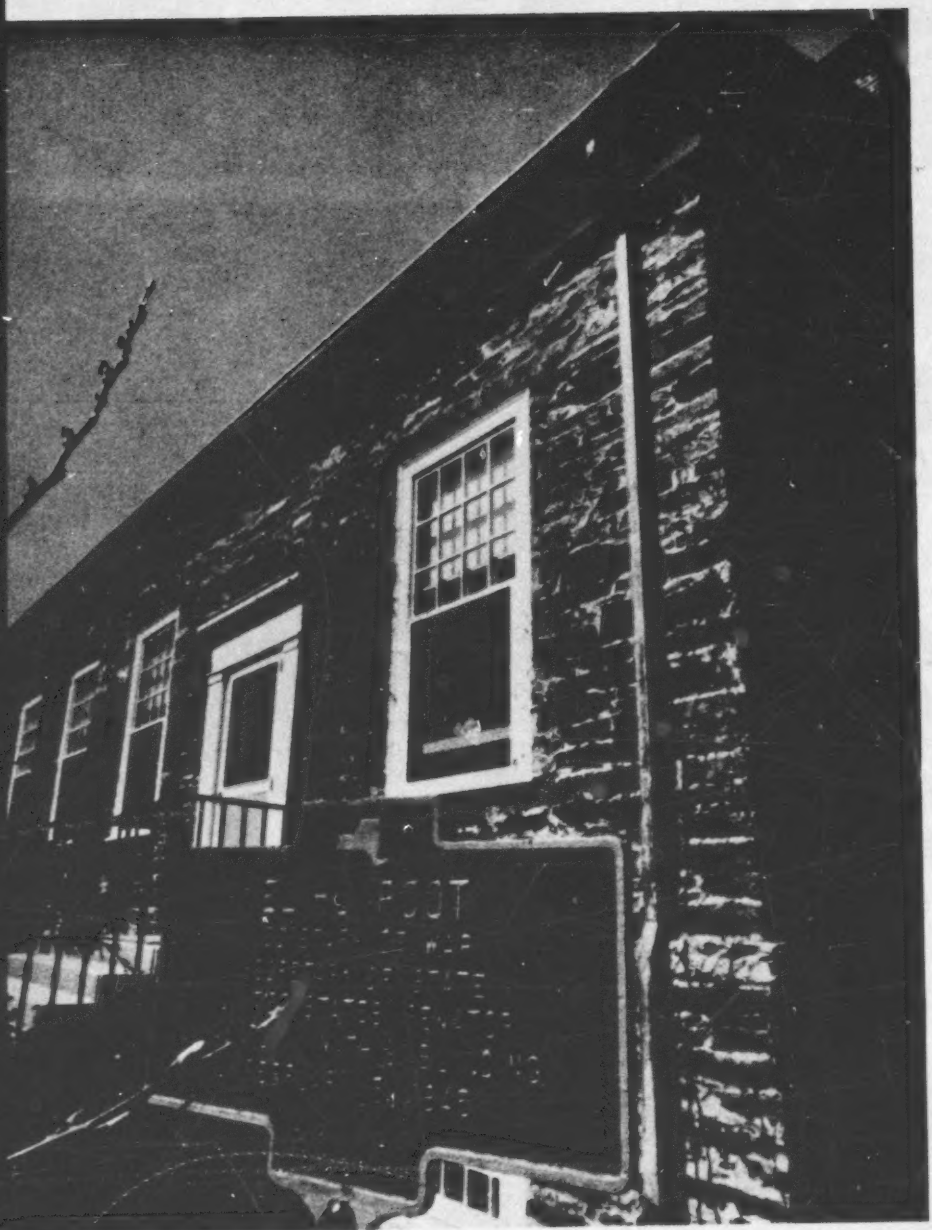

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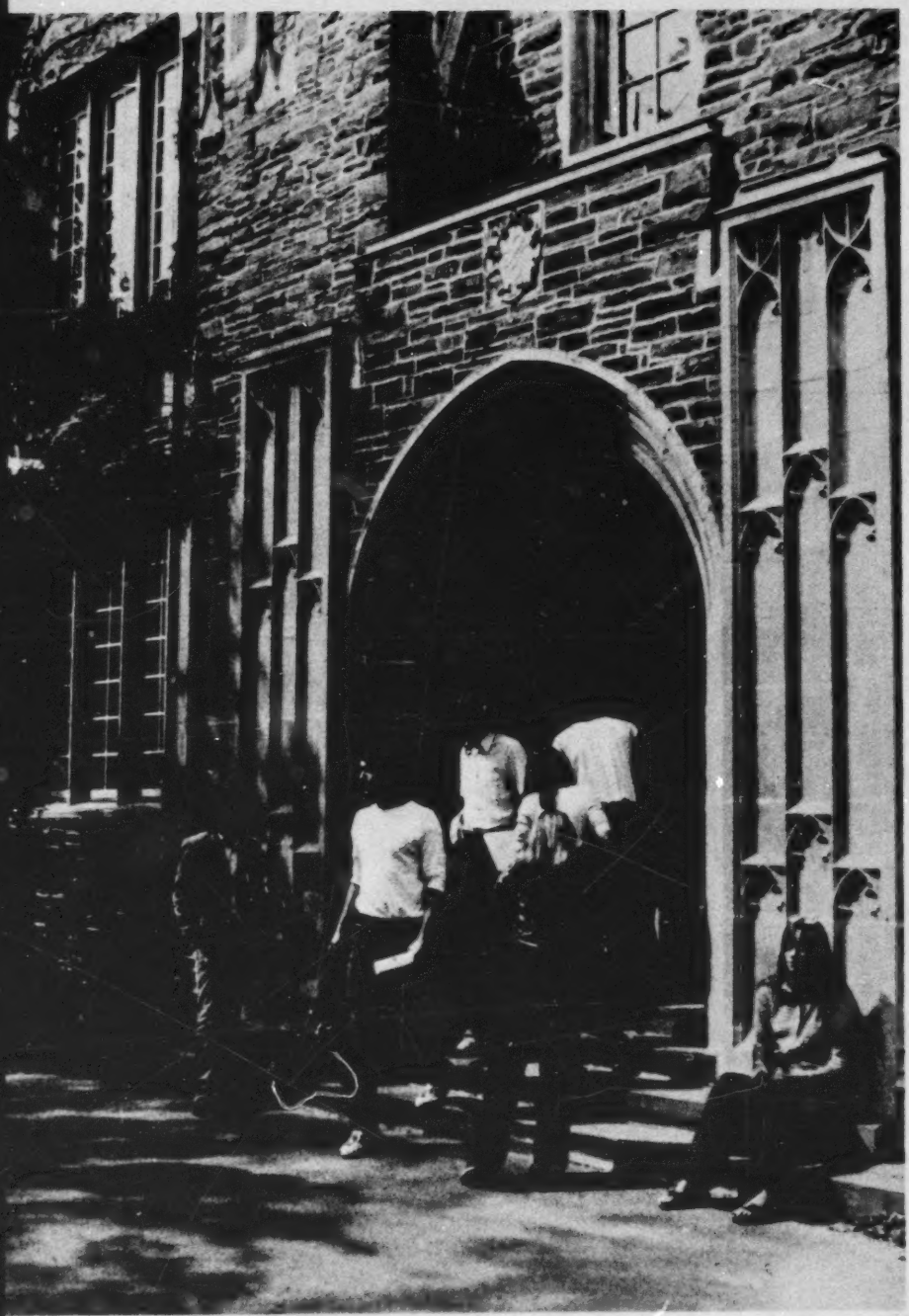

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